

EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Education Professional Standards Board
(Amended After Comments)

16 KAR 2:010. Kentucky professional and provisional teacher certificates~~[teaching certificates]~~.

RELATES TO: KRS~~[458.6451, 160.380,]~~ 161.020, 161.028(1), 161.030

STATUTORY AUTHORITY: KRS 161.028(1)(a),~~[(b),]~~(f), 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) requires the Education Professional Standards Board (EPSB) to establish the standards for obtaining and maintaining a teaching certificate. KRS 161.028(1)(b) requires the board to set standards for programs for the preparation of teachers and other professional school personnel. KRS 161.028(1)(f) requires the board to issue and renew any certificate. This administrative regulation establishes the Kentucky certification to be issued for teaching positions.

Section 1. Definitions. (1) "Approved program of preparation" means a program which has been approved by the~~[Education Professional Standards]~~ board pursuant to~~[under]~~ 16 KAR 5:010 for a specific certification~~[or which has been approved for certification by the state education agency of another state]~~.

~~(2) ["Assessments" means the tests of knowledge and skills authorized by KRS 161.030 and established in 16 KAR 6:010.]~~

~~(3) ["Base certificate" means a professional certificate that allows a teacher~~[stand-alone license]~~ to teach~~[which encompasses authorization to teach]~~ introductory and interdisciplinary courses in related fields.]~~

~~(3) [(4) "Beginning teacher internship" means one (1) year of supervision, assistance, and assessment required by KRS 161.030 and established in 16 KAR 7:010.]~~

~~(5) ["Certificate endorsement" means an addition to a base or restricted base certificate, which is limited in scope~~[and awarded on the basis of completion of an endorsement program or a combination of educational requirements, assessments, and experience as outlined in Section 5 of this administrative regulation]~~.]~~

~~(4) [(6) "Certificate extension" means an additional base or restricted base certificate in a content area or grade range.]~~

~~(5) ["Restricted base certificate" means a certificate that allows a teacher to teach in a specific limited content area.]~~~~(7) "Kentucky teacher standards" means the standards established in 16 KAR 1:010 that identify what a Kentucky teacher shall know and be able to do.~~

~~(8) "Major" means an academic area of concentration consisting of at least thirty (30) hours of coursework.~~

~~(9) "Professional teaching certificate" means the document issued to:~~

~~(a) An individual upon successful completion of the beginning teacher internship; or~~

~~(b) An applicant for whom the testing and internship requirement is waived under KRS 161.030 based on preparation and experience completed outside Kentucky.~~

~~(10) "Provisional teaching certificate" means the document issued to an individual for the duration of the beginning teacher internship program.~~

~~(11) "Restricted base certificate" means a stand-alone license to teach in a specific subject area of certification which is the only subject area that can be taught under this limited certificate.]~~

~~(6) [(12) "Statement of eligibility" means a candidate has met the requirements necessary to receive a provisional certificate~~[the document issued to an applicant upon completion of an~~~~

~~approved program of preparation and successful completion of the assessments].~~

Section 2. Types of Certificates Issued. (1) Provisional certificate;

(a) Conditional certificate;

(b) Provisional internship certificate-one (1) year certificate;

(c) Temporary provisional certificate;

(d) Probationary provisional certificate;

(e) Proficiency provisional certificate;

(f) Occupation-based career and technical education provisional certificate;

(g) One (1) year provisional alternative certificate;

(h) Adjunct certificate;

(i) Emergency certificate;

(j) Temporary certificate for Instructional Leadership:

1. In-state; and

2. Out-of-state;

(k) Temporary certificate; and

(l) Provisional certificate for "other school professionals".

(2) Professional certificate.

(a) Initial certificate-four (4) year certificate;

(b) Initial certificate- five (5) year certificate;

(c) Renewal certificate - five (5) year certificate;

(d) Occupation-based career and technical education professional certificate; and

(e) Professional certificate for "other school professionals".

(3) Junior Reserve Officer Training Corps (JROTC) Certificate.

(4) Additional Certification:

(a) Certificate extension; and

(b) Certificate endorsement.

(5) Substitute teaching certificate.

(a) Certified substitute certificate; and

(b) Emergency substitute certificate.

(6) All other existing certificates shall remain valid and the terms for renewal shall be determined by the laws and regulations in effect at the time the certificate was issued pursuant to KRS 161.020.

Section 3. Certificate Issuance. (1) Prior to the issuance of a certificate or statement of eligibility, the applicant shall disclose certain background information as outlined in Section 8[7] of this administrative regulation. If the applicant answers "yes" to any of the questions set forth in Section 8[7](1)(a)-(f), the EPSB may still issue a certificate or statement of eligibility for that applicant, but the board shall retain final authority to deny a request for certification or statement of eligibility if the board so chooses.

(2) The EPSB shall issue a statement of eligibility to a teacher candidate who:

(a) Has successfully completed a traditional initial preparation program that resulted in the issuance of a bachelor's degree or higher with either:

1. A cumulative grade point average of 2.75 on a 4.0 scale; or

2. A grade point average of 3.0 on a 4.0 scale on the last thirty (30) hours of credit completed, including undergraduate and graduate coursework.

3. Grade point average (GPA) shall be calculated by beginning with the most recent course completed and proceeding backward for two (2) semesters in the order the grades fall on the transcript to accumulate the last thirty (30) hours completed for determining the GPA.

4. If it is necessary to go back further than two (2) semesters then the courses in the third semester shall be chosen based on the highest grades earned during that third semester;

(b) Earns a passing score on all assessments required for the certification sought as set forth in 16 KAR Chapter 6.

(3) All certificates issued shall either be a base or restricted base certificate in accordance with Section 4 of this administrative regulation.

(4) Provisional Certificates.

(a) Conditional Certificate.

1. The EPSB may issue a conditional certificate to a teacher candidate unable to earn a passing score on all assessments required for the certification sought pursuant to KRS 161.030(3)(b), if the teacher candidate meets the requirements of 16 KAR 2:180.

2. A teacher candidate with only a conditional certificate is not eligible to participate in the Kentucky Teacher Internship Program (KTIP).

(b) Provisional Internship Certificate. The EPSB shall issue a provisional internship certificate to a teacher candidate who has completed a traditional preparation program upon confirmation of employment in an assignment for the grade level and content area identified on an unexpired statement of eligibility for the duration of the KTIP.

(c) Temporary Provisional Certificate.

1. The EPSB shall issue a temporary provisional certificate in accordance with KRS 161.048 with a grade level and content area recommended by the institution that will be valid for employment in the area of certification sought.

2. The certificate shall be issued at the appropriate rank in accordance with the requirements established in 16 KAR 8:020.

3. Prior to issuance of the certificate, in accordance with chapter 9 of this title the:

a. Teacher candidate shall submit to the EPSB an official transcript from each college or university attended; and

b. The institution shall submit to the EPSB a mentoring collaboration agreement with the district if the teacher candidate is seeking certification through the enrollment of a university-based alternative certification program.

4. The EPSB shall renew the temporary provisional certificate yearly upon the recommendation of the institution. The institution shall base its recommendation pursuant to KRS 161.048 and chapter 9 of this title.

5. A teacher candidate shall be eligible for KTIP upon completion of all program requirements and after successfully passing all applicable assessments in accordance with 16 KAR 6:010.

(d) Probationary Provisional Certificate.

1. A probationary provisional certificate shall be initiated by the school district to fill an area of need.

2. The EPSB shall issue a probationary provisional certificate in accordance with 16 KAR 2:110, 16 KAR 2:130, 16 KAR 2:140, 16 KAR 2:150, 16 KAR 2:160, 16 KAR 2:170, 16 KAR 2:200, 16 KAR 3:030, or 16 KAR 3:040.

(e) Proficiency Provisional Certificate.

1. The EPSB shall issue a proficiency provisional certificate in accordance with a grade level and content area recommended by the university that will be valid for employment in the area of certification sought.

2. The certificate shall be issued at the appropriate rank in accordance with the requirements established in 16 KAR 8:020.

3. Prior to issuance of the certificate, in accordance with 16 KAR 5:030 the:

a. Teacher candidate shall submit to the EPSB an official transcript from each college or

university attended; and

b. College or university shall submit to the EPSB an educator learning plan (ELP); and

c. Candidate shall have a written offer of employment in the content area in which certification is being sought.

4. The EPSB shall renew the proficiency provisional certificate yearly upon the recommendation of the college or university. The college or university shall base its recommendation on the ELP in accordance with 16 KAR 5:030.

(f) Occupation-based Career and Technical Education Provisional Certificate. The EPSB shall issue an occupation-based career and technical education provisional certificate following the completion of the appropriate requirements set forth in 16 KAR 2:020.

(g) One (1) year Provisional Alternative Certificate. The EPSB shall issue a one (1) year provisional alternative certificate to a teacher candidate who is enrolled in a local school district training program following the completion of the appropriate requirements set forth in 16 KAR 9:050, 16 KAR 9:060, and 16 KAR 9:070.

(h) Adjunct Certificate. The EPSB shall issue an adjunct instructor certificate following completion of the appropriate requirements set forth in 16 KAR 9:020.

(i) Emergency Certificate. The EPSB shall issue an emergency certificate in accordance with 16 KAR 2:120.

(j) Temporary Certificate for Instructional Leadership.

1. In-state. The EPSB shall issue a temporary certificate for instructional leadership pursuant to KRS 161.027(6) and 16 KAR 6:030, Section 8.

2. Out-of-state. The EPSB shall issue a temporary certificate for institutional leadership pursuant to KRS 161.027(6).

(k) Temporary Certificate.

1. The EPSB shall issue a temporary certificate to out-of-state teachers with less than two (2) years of experience pursuant to KRS 161.030(3)(c).

2. A temporary certificate may be issued for a period up to six (6) months, not to exceed the end of the semester in which the temporary certificate is issued, during which the teacher must successfully pass all required assessments pursuant to 16 KAR 6:010.

(l) Provisional Certificate for "Other School Professionals". The EPSB shall issue a provisional certificate for "other school professionals" in accordance with 16 KAR 2:060, 16 KAR 2:080, 16 KAR 2:090, or 16 KAR 3:060.

(5) Professional Certificates.

(a) Initial Four (4) Year Certificate. The EPSB shall issue an initial four (4) year certificate to a teacher candidate who has successfully completed KTIP while holding a provisional internship certificate issued by the EPSB unless otherwise waived under KRS 161.030 based on preparation and experience completed outside of Kentucky.

(b) Initial Five (5) Year Certificate.

1. The EPSB shall issue an initial five (5) year certificate to a teacher candidate who has successfully completed KTIP while holding a temporary provisional certificate issued by the EPSB; or

2. To a teacher candidate based on preparation and experience completed outside of Kentucky pursuant to KRS 161.030.

(c) Renewal Five (5) Year Certificate.

1. The first five (5) year renewal shall require:

a. Completion of a minimum of fifteen (15) semester hours of graduate credit applicable to the fifth-year approved program of preparation established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

b. Completion of the required components of the continuing education option for initial certifi-

icate renewal as established in 16 KAR 8:030.

2. The second five (5) year renewal shall require:

a. Completion of the fifth-year approved program of preparation established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

b. Successful completion of the continuing education option as established in 16 KAR 8:030.

3. Each subsequent five (5) year renewal shall require completion of the renewal requirements established in 16 KAR 4:060.

(d) Occupation-based Career and Technical Education Professional Certificate. The EPSB shall issue an occupation-based career and technical education professional certificate in accordance with 16 KAR 2:020.

(e) Professional certificate for "Other School Professionals". The EPSB shall issue a professional certificate for other school professionals in accordance with 16 KAR 2:060, 16 KAR 2:070, 16 KAR 2:090, or 16 KAR 3:060.

(6) Junior Reserve Officer Training Corps (JROTC) Certificate. The EPSB shall issue a JROTC certificate in accordance with 16 KAR 2:100.

(7) Certificate Extensions and Endorsements.

(a) A certificate extension may be issued to a certified teacher for any base or restricted base certificate offered in Section 4(1) through (4) of this administrative regulation and shall require:

1. An unexpired base or restricted base certificate, including a statement of eligibility;

2. Successful completion of the applicable assessments; and

3. Recommendation from an approved preparation program upon the demonstration of competency in the relevant teaching methodology verified via coursework, field experience, portfolio, or proficiency evaluation.

(b) A certificate endorsement may be issued for any area listed in Section 4(5) of this administrative regulation and shall require:

1. An unexpired base or restricted base certificate, including statement of eligibility;

2. Successful completion of the applicable assessments; and

3. Recommendation from an approved program of preparation upon the demonstration of competency in the relevant teaching methodology verified via coursework, field experience, portfolio, or proficiency evaluation.

(8) Substitute Certificates. The EPSB shall issue a certified substitute teaching certificate or an emergency substitute certificate in accordance with 16 KAR 2:030 and 16 KAR 2:120 Section 2. [Certificate Issuance. (1)(a) Until December 31, 2014, a statement of eligibility for a provisional teaching certificate shall be issued to an applicant who has submitted a completed TC-1 application form and has successfully completed:

1.a. At least a bachelor's degree with:

(i) A cumulative grade point average of 2.50 on a 4.0 scale; or

(ii) A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework; or

b. As required by Section 4(2)(g)6 of this administrative regulation, a master's degree with:

(i) A cumulative grade point average of 2.50 on a 4.0 scale; or

(ii) A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework;

2. An approved program of preparation; and

3. The assessments corresponding to the certificate identified in Section 4 of this administrative regulation for which application is being made.

(b) Beginning January 1, 2015, a statement of eligibility for a provisional teaching certificate

shall be issued to an applicant who has submitted a completed CA-1 application form and has successfully completed:

- 1.a. At least a bachelor's degree with:
 - (i) A cumulative grade point average of 2.50 on a 4.0 scale; or
 - (ii) A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework; or
- b. As required by Section 4(2)(g)6 of this administrative regulation, a master's degree with:
 - (i) A cumulative grade point average of 2.50 on a 4.0 scale; or
 - (ii) A grade point average of 3.00 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework;
2. An approved program of preparation;
3. The assessments corresponding to the certificate identified in Section 4 of this administrative regulation for which application is being made; and
4. A national and state criminal background check performed in accordance with KRS 160.380(5) within twelve (12) months prior to the date of application.

(2) Upon confirmation of employment in an assignment for the grade level and specialization identified on a valid statement of eligibility, a Provisional Teaching Certificate shall be issued for the duration of the beginning teacher internship established under KRS 161.030.

(3) Upon successful completion of the internship, a Professional Teaching Certificate shall be issued, valid for a four (4) year period.

Section 3. Professional Teaching Certificate Renewal. (1) The renewal shall require completion of a fifth-year approved program of preparation which is consistent with:

- (a) The Kentucky teacher standards established in 16 KAR 1:010; or
- (b) The standards adopted by the Education Professional Standards Board for a particular professional education specialty and established in an applicable administrative regulation in KAR Title 16.

(2) The first five (5) year renewal shall require:

(a) Completion of a minimum of fifteen (15) semester hours of graduate credit applicable to the fifth-year approved program of preparation established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

(b) Completion of the required components of the continuing education option for initial certificate renewal as established in 16 KAR 8:030.

(3) The second five (5) year renewal shall require:

(a) Completion of the fifth-year approved program of preparation established in 16 KAR 8:020 by September 1 of the year of expiration of the certificate; or

(b) Successful completion of the continuing education option as established in 16 KAR 8:030.

(4) Each subsequent five (5) year renewal shall require completion of the renewal requirements established in 16 KAR 4:060.]

Section 4. Grade Levels and Specializations. (1) Preparation for a teaching certificate shall be based on:

- (a) The Kentucky teacher standards established in 16 KAR 1:010;
- (b) The accreditation and program approval standards established in 16 KAR 5:010, including the content standards of the relevant national specialty program associations; and
- (c) The goals for the schools of the Commonwealth specified in KRS 158.6451 and the student academic expectations established in 703 KAR 4:060.

(2) A base certificate shall be issued specifying one (1) or more of the following grade lev-
els[level] and specialization authorizations:

(a) Interdisciplinary early childhood education[⁷] birth to primary, established in 16 KAR 2:040; and

(b) Elementary school: primary through grade 5 to include preparation in the academic disciplines taught in the elementary school.

1. The elementary certificate shall be valid for teaching grade 6 if grade 6 is taught in a self-contained classroom or in a school organization in which grade 6 is housed with grade 5 in the same building.

2. A candidate for the elementary certificate may simultaneously prepare for certification for teaching exceptional children.

(c) 1. Middle school option 1: grades 5 through 9 with the equivalent of one (1) major to be selected from:

- a. English and communications;
- b. Mathematics;
- c. Science; or
- d. Social studies; or

2. Middle school option 2: grades 5 through 9 with two (2) middle school teaching fields to be selected from:

- a. English and communications;
- b. Mathematics;
- c. Science; or
- d. Social studies;

(d) Secondary school shall be valid for teaching students in: grades 8 through 12 with one (1) or more of the following majors:

- 1. English;
- 2. Mathematics;
- 3. Social studies;
- 4. Biology;
- 5. Chemistry;
- 6. Physics; or
- 7. Earth science;

(e) Grades 5 through 12 with one (1) or more of the following majors:

- 1. Agriculture;
- 2. Business and marketing education;
- 3. Family and consumer science;
- 4. Industrial education; or
- 5. Engineering and technology;

(f) All grade levels with one (1) or more of the following specialties:

- 1. Art;
- 2. A foreign language;
- 3. Health;
- 4. Physical education;
- 5. Integrated music;
- 6. Vocal music;
- 7. Instrumental music; or
- 8. School media librarian; or

(g) Grades primary through 12 for teaching exceptional children and for collaborating with teachers to design and deliver programs for preprimary children, for one (1) or more of the following disabilities:

- 1. Learning and behavior disorders;

2. Moderate and severe disabilities;
3. Hearing impaired;
4. Hearing impaired with sign proficiency;
5. Visually impaired;

6. Communication disorders, valid at all grade levels for the instruction of exceptional children and youth with communication disorders, which shall require a master's degree in communication or speech language pathology, in accordance with 16 KAR 2:050, Section 2; or

7. Communication disorders - SLPA only, valid at all grade levels for the instruction of exceptional children and youth with communication disorders, which shall require a baccalaureate degree in communication or speech language pathology, in accordance with 16 KAR 2:050, Section 3.

(3)(a) The grades 5 through 9 mathematics certificate issued under subsection (2)(c)1.b. or 2.b. of this section shall be valid for teaching Algebra I grades 10 and 11.

(b) A candidate who chooses to simultaneously prepare for teaching in the middle school and for an additional base or restricted base certificate issued under subsection (2) or (4) of this section, including certification for teaching exceptional children, shall be required to complete one (1) middle school teaching field established in subsection (2)(c) of this section.

(4) A restricted base certificate shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

- (a) Psychology, grades 8-12;
- (b) Sociology, grades 8 through 12;
- (c) Journalism, grades 8 through 12;
- (d) Speech/media communications, grades 8-12;
- (e) Theater, primary through grade 12;
- (f) Dance, primary through grade 12;
- (g) Computer information systems, primary through grade 12; or
- (h) English as a second language, primary through grade 12.

(5) An endorsement to a certificate identified in subsection (2) or (3) of this section shall be issued specifying one (1) or more of the following grade level and specialization authorizations:

- (a) Computer science, grades 8-12;
- (b) English as a second language, primary through grade 12;
- (c) Gifted education, primary through grade 12;
- (d) Driver education, grades 8-12;
- (e) Literacy specialist, primary through grade 12;
- (f) Reading, primary through grade 12;
- (g) Instructional computer technology, primary through grade 12;
- (h) Teacher Leader, all grades;
- (i) Other instructional services - school safety, primary through grade 12;
- (j) Other instructional services - environmental education, primary through grade 12;
- (k) Other instructional services - elementary mathematics specialist, primary through grade

5; or

(l) Learning and behavior disorders, grades 8 through 12. This endorsement shall be issued:

1. Following completion of the requirements of Section 5(2) of this administrative regulation;

and

2. Only to candidates with preparation and certification for a base or restricted base certificate for the secondary grades 8-12; or

(m) American Sign Language, primary through grade 12.

Section 5. Certification through Proficiency Evaluation. (1) Proficiency evaluations shall be

conducted in accordance with 16 KAR 5:030 by a Kentucky college or university with an approved educator preparation program.

(2) The EPSB may issue a proficiency provisional certificate to an individual~~[a certified teacher]~~ upon request pursuant to this section as long as the individual~~[certified teacher]~~ meets the requirements set forth in Section 3 of this administrative regulation or any certificate area offered in Section 4 of this administrative regulation in accordance with 16 KAR 5:030.~~[(3)(a) A certified teacher may also obtain a certificate endorsement and a certificate extension by a proficiency evaluation performed by a Kentucky college or university in accordance with 16 KAR 5:030.~~

~~(b) The EPSB shall issue the proficiency provisional certificate and the professional certificate for the certificate endorsement and the certificate extension upon request as long as the certified teacher meets the requirements set forth in Section 3 of this administrative regulation.]~~

Section 6. Additional Certification. (1)(a) A certified teacher may add a certificate endorsement or extension if the teacher meets the requirements established in paragraph (c) of this subsection.

(b) Apply for a certificate endorsement or extension.

(c) A certificate extension or certificate endorsement shall be issued if an educator:

1. Holds a valid Kentucky professional teaching certificate;

2. Submits proof that the educator has:

a. Current employment in a certified position;

b. A bona fide offer of employment in a certified position in a Kentucky public school;

or

c. Approval of the local district superintendent;

3. Successfully completed the applicable content assessments; and

4. Has either:

a. A major in the area of certification being sought; or

b. A combination of education, experience, professional development, awards, and achievements in the area of certification being sought sufficient to demonstrate subject matter competency as evidenced by a score of ninety (90) points in Sections 3 and 4 within application form CA-HQ.

(i) Points shall be granted only for experience, professional development, awards, or achievements earned relative to the specific content area, student population taught, and grade range served.

(ii) Coursework shall be validated on the application by a Kentucky college or university approved by the EPSB to serve as a "clearinghouse" for the purposes of this option.

(iii) Successful completion of the appropriate content assessment or assessments for the certificate area being added shall count for forty-five (45) points.

(2) If a teacher currently holds a professional certificate in the secondary grades 8-12, and applies for a certificate extension or endorsement in the same content area for middle school grades 5-9, the teacher shall not be required to complete the content assessment.

(3) A certificate extension or endorsement issued under the requirements established in subsection (3)(c) of this section shall be permitted in the areas of English, mathematics, sciences, foreign languages, or social studies. Health and physical education areas shall be added only if the teacher holds the correlative certificate.

(4)(a) A certified teacher may also obtain a certificate endorsement and a certificate

extension by a proficiency evaluation performed by a Kentucky college or university in accordance with 16 KAR 5:030.

(b) The EPSB shall issue the proficiency provisional certificate and the professional certificate for the certificate endorsement and the certificate extension upon request as long as the certified teacher meets the requirements set forth in Section 3 of this administrative regulation.

~~[Additional Certification. (1) A certificate extension may be issued for any base or restricted base certificate area offered in Section 4(2) or (4) of this administrative regulation and shall require:~~

- ~~(a) A valid base or restricted base certificate, including a statement of eligibility;~~
- ~~(b) Successful completion of the applicable assessments; and~~
- ~~(c) Recommendation from an approved preparation program upon demonstration of competency in the relevant teaching methodology verified via coursework, field experience, portfolio, or other proficiency evaluation.~~

~~(2) A certificate endorsement may be issued for any area listed in Section 4(5) of this administrative regulation and shall require:~~

- ~~(a) A valid base or restricted base certificate, including a statement of eligibility;~~
- ~~(b) Successful completion of the applicable assessments; and~~
- ~~(c) Recommendation from an approved preparation program upon demonstration of competency in the relevant teaching methodology verified via coursework, field experience, portfolio, or other proficiency evaluation.~~

~~(3)(a) A professionally-certified teacher may add a certificate endorsement or extension if the teacher meets the requirements established in paragraph (c) of this subsection.~~

~~(b)1. Until December 31, 2014, an application for a certificate endorsement or extension shall be made on a Form TC-HQ.~~

~~2. Beginning January 1, 2015, an application for a certificate endorsement or extension shall be made on a Form CA-HQ.~~

~~(c) A certificate extension or certificate endorsement shall be issued if an educator:~~

~~1. Holds a valid Kentucky professional teaching certificate;~~

~~2. Submits proof that the educator has:~~

~~a. Current employment in a certified position;~~

~~b. A bona fide offer of employment in a certified position in a Kentucky public school; or~~

~~c. Approval of the local district superintendent;~~

~~3. Successfully completed the applicable content assessments; and~~

~~4. Has either:~~

~~a. A declared major in the area of certification being sought; or~~

~~b. A combination of education, experience, professional development, awards, and achievements in the area of certification being sought sufficient to demonstrate subject matter competency as evidenced by a score of ninety (90) points on the index contained within the application forms TC-HQ or CA-HQ.~~

~~(i) Points shall be granted only for experience, professional development, awards, or achievements earned relative to the specific content area, student population taught, and grade range served.~~

~~(ii) Coursework shall be validated on the application by a Kentucky college or university approved by the EPSB to serve as a "clearinghouse" for the purposes of this option.~~

~~(iii) Successful completion of the appropriate content assessment or assessments for the certificate area being added shall count for forty-five (45) points.~~

~~(4) If a teacher currently holds a professional certificate in the secondary grades 8-12, and applies for a certificate extension or endorsement in the same content area for middle school grades 5-9, the teacher shall not be required to complete the content assessment.~~

~~(5) A certificate extension or endorsement issued under the requirements established in subsection (3)(c) of this section shall be permitted in the areas of English, mathematics, sciences, foreign languages, or social studies. Health and physical education areas shall be added only if the teacher holds the correlative certificate.]~~

Section ~~7~~**[6]**. A candidate pursuing certification via an alternative route to certification shall receive the same certificates delineated in Section 4 of this administrative regulation following completion of the appropriate requirements specific to each alternative route.

Section ~~8~~**[7]**. Disclosure of Background Information. (1) Teachers and teacher candidates shall disclose certain background information to the EPSB whenever those teachers and teacher candidates apply for the issuance and renewal of the provisional certificate and the professional certificate by answering the following questions:

(a) Have you ever had a professional certificate, license, credential, or any document issued for practice denied, suspended, revoked, or voluntarily surrendered? If you have had a professional certificate, license, credential, or any other document issued for practice initially denied by a licensing body, but later issued, you shall answer "yes."

(b) Have you ever been suspended or discharged from any employment or military service because of allegations of misconduct?

(c) Have you ever resigned, entered into a settlement agreement, or otherwise left employment as a result of allegations of misconduct?

(d) Is any action now pending against you for alleged misconduct in any school district, court, or before any educator licensing agency?

(e) Have you ever been convicted of or entered a guilty plea, an "Alford" plea, or a plea of nolo contendere (no contest) to a felony or misdemeanor, even if adjudication of the sentence was withheld in Kentucky or any other state? Minor traffic violations should not be reported. Convictions for driving while intoxicated (DWI) or driving under the influence of alcohol or other drugs (DUI) shall be reported.

(f) Do you have any criminal charges pending against you?

(g) If you answered affirmatively to any of the questions in this Section, has the EPSB previously reviewed the information?

(2) The EPSB shall provide teachers and teacher candidates with the opportunity to submit a narrative to the board to consider before the board approves the request for issuance or renewal of a provisional certificate or a professional certificate. The teacher or teacher candidate may include in his or her narrative any dates, locations, school systems, court records, or any other information the teacher or teacher candidate would like the board to consider.

~~[(1) Until December 31, 2014, application for certification or additional certification shall be made on Form TC-1 and shall be accompanied by the fees required by 16 KAR 4:040.~~

~~(2) Beginning January 1, 2015, application for certification or additional certification shall be made on Form CA-1 and shall be accompanied by the fees required by 16 KAR 4:040.]~~

Section 9. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Form CA-HQ", 02/18

~~[Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:~~

~~(a) "Form CA-1", 03-14;~~

~~(b) "Form CA-HQ", 03-14;~~

~~(c) "Form TC-1", 10/05; and~~

~~(d) "Form TC-HQ", 10/2009.~~

~~(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.]~~

ROB AKERS, Board Chair

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CONTACT PERSON: Lauren Graves, Executive Staff Advisor, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, phone (502) 564-4606, fax (502) 564-7080, email Lauren.Graves@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Persons: Cassie Trueblood, phone 502-564-4606, email Cassie.Trueblood@ky.gov, and Lauren Graves

(1) Provide a brief summary of

(a) What this administrative regulation does: This administrative regulation implements the Kentucky certification requirements for teachers as set forth in KRS 161.030. This administrative regulation also identifies the types of Kentucky professional and provisional teacher certificates available as well as the content areas associated with each certification. It also sets forth the different procedures that may be used to obtain a Kentucky teaching certificate.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to applicants, educator preparation providers, and administrators of Kentucky public school districts of the types of certificates issued by the Education Professional Standards Board (EPSB) as well as the content areas associated with each certificate. It also provides notice to applicants, educator preparation providers, and administrators of Kentucky public school districts of the different procedures that may be used to obtain a Kentucky teaching certificate.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 provides that no person shall be eligible to hold the position of a teacher for which a certificate may be issued, or receive a salary for services rendered in the position, unless he or she holds a certificate of legal qualifications for the position. KRS 161.028 provides the EPSB with the authority and responsibility to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030 provides that the EPSB alone has the authority to certify all teachers in public schools.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation implements the Kentucky certification requirements for teachers as set forth in KRS 161.030. This administrative regulation also identifies the types of Kentucky professional and provisional teacher certificates available as well as the content areas associated with each certification. It also sets forth the different procedures that may be used to obtain a Kentucky teaching certificate.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment has been brought forward primarily to remove certification barriers by adding additional processes and procedures for certification (proficiency evaluations by educator preparation providers and competency evaluation by the EPSB). This amendment also includes a new section regarding certification types and requirements. This amendment includes additions and revisions to the existing regulation as a result of recent 2017 Regular Legislative Session (SB17).

This amendment updates terms used. This amendment removes references to application forms. This amendment adds a section regarding background disclosure questions. This amendment removes the background check requirement.

(b) The necessity of the amendment to this administrative regulation: This amendment has been brought forward primarily to remove certification barriers by adding additional processes and procedures for certification (proficiency evaluations by educator preparation providers and competency evaluation by the EPSB). This amendment also includes additions and revisions to the existing regulation as a result of recent 2017 Regular Legislative Session (SB17) and updates existing language.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.020 require that teachers hold legal qualifications for their respective positions to be issued upon completion of programs prescribed by the EPSB. KRS 161.030 sets forth basic requirements for certification.

(d) How the amendment will assist in the effective administration of the statutes: This amendment provides information relating to new and existing processes and procedures for certification.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will potentially impact teacher candidate seeking a certificate to teach for the first time, teachers who already have a teaching certificate, all Kentucky public school, and approved providers of educator preparation programs.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: There should be little, if any, additional action needed from the regulated entities identified in question (3) to comply with the implementation of this new regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should be little, if any, cost associated the implementation of this new regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Teaching quality is the most important school-based factor in determining student success and we must ensure that all Kentucky teachers enter their classroom prepared to excel. Compliance with this regulation will help Kentucky public schools fill positions that have been difficult to fill with new teachers and also with experienced teachers.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: There will be no cost to the EPSB to implement this administrative regulation.

(b) On a continuing basis: There will be no cost to the EPSB to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Funds appropriated by the General Assembly to the Education Professional Standards Board.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change, if it is an amendment: The EPSB does not anticipate an additional fee or funding increase.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any fees directly nor does it indirectly increase fees.

(9) TIERING: Is tiering applied? No, tiering will not apply because all applicants for certification are required to meet the same requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This administrative regulation will impact the Education Professional Standards Board, Kentucky institutions of higher education with approved preparation programs, Kentucky public school, and applicants for certification.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.030 provides that the certification of all public school teachers in Kentucky is vested in the EPSB. KRS 161.028(1)(a) requires that the EPSB establish requirements for obtaining and maintaining a teaching certificate.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be no effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue will be generated.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue will be generated.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this regulation.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this regulation.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: